

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

CERTIFIED MAIL: RETURN RECEIPT REQUESTED

OCT 22 1984

Mr. Charles Pullin
Chairman of the Board
Koppers Co., Inc.
1501 Koppers Building
Pittsburgh, PA 15211

RE: , South Cavalcade Street Site, Houston, Texas
(Koppers former Collingsworth Street plant)

Dear Mr. Pullin:

The United States Environmental Protection Agency (EPA) has documented the releases of hazardous substances at the above referenced site, and is considering spending public funds to control these releases. This action will be taken by EPA pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), 42 U.S.C. 9601 *et seq.*, unless EPA determines that such action will be done properly by a responsible party.

Responsible parties under CERCLA include the current and former owners or operators, and persons who generated the substances or were involved in transport, treatment, or disposal of them at the site. Under section 107(a) of CERCLA and other laws, responsible parties may be liable for any costs incurred by the government in taking corrective actions at the site. Such costs may include, but may not be limited to, expenditures for investigation, planning, cleanup of the site and enforcement. By this letter, therefore, EPA intends to both notify you of your potential liability with regard to this matter and to encourage you, as a potentially responsible party, to undertake voluntary cleanup activities.

Based on the three part Camp, Dresser and McKee report, "Cavalcade Contaminant Survey," dated July 11, 1983, the EPA believes that Koppers Co., Inc. owned and operated a wood treating facility and a coal-tar distillation facility at this site.

At the present time pollutants including Anthracene, Chrysene, Fluoranthene, Arsenic, Chromium, and Zinc are found in the soils and groundwater at the site of the former Koppers Collingsworth plant. The magnitude of this problem is documented in the Camp, Dresser and McKee report.

This letter is to notify you that the EPA is planning the following activities at the South Cavalcade Site:

1. develop a site investigation work plan (to be contracted to Camp, Dresser and McKee),
2. conduct a remedial investigation (RI) to further investigate the extent of soil, air, groundwater, and surface water contamination at the site, and
3. conduct a feasibility study (FS) to evaluate possible remedial actions to remove or contain hazardous substances, pollutants, and contaminants at the site.

In addition to the above studies, other corrective measures may be necessary to protect public health, welfare or environment. These corrective measures may include, but are not necessarily limited to:

1. implementing initial remedial measures, e.g., securing the site to prevent contact with any potential hazardous or toxic substances at the site and/or removal of contaminated material from the surface,
2. designing and implementing the EPA approved remedial option for any groundwater, surface water, soil and air contamination, and
3. providing any monitoring and maintenance necessary after remedial measures have been completed.

Under section 107(a)(4)(A) and (B) of CERCLA, where the Agency uses public funds to effectuate the cleanup of the hazardous substance, you may be liable for all costs associated with the removal or remedial action and all other necessary costs incurred in cleaning up the site. Again, you should contact the Agency's representative if you desire more information.

EPA will consider an immediate, unequivocal offer to conduct the remedial investigations and feasibility studies (RI/FS) described above, provided that you agree to the conditions under which you may do so. Alternatively, if you do not wish to perform the RI/FS, you may participate in the Fund-financed RI/FS, where such participation can occur without undue delay or interference with EPA RI/FS development.

You should notify EPA, in writing within 30 calendar days from the receipt of this letter, of your willingness to conduct or participate in the RI/FS. Otherwise, EPA will assume that you decline any involvement in the RI/FS, and we will proceed with the appropriate studies and any necessary corrective actions. Should you decline involvement in the RI/FS, the EPA will later invite you to undertake the design and implementation of the selected remedy upon the Agency's completion of the RI/FS.

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Your written response should include a statement of your desire to perform or participate in the RI/FS. Your letter and any requests for further information should be sent to:

John Cochran (6AW-SE)
U.S. Environmental Protection Agency
1201 Elm Street
Dallas, Texas 75270
Phone: (214) 767-9705

EPA would like to encourage good faith negotiations between you and the Agency and among you and other parties potentially responsible for the South Cavalcade Street Site. A list of the other potentially responsible parties is enclosed so that you may schedule meaningful discussions with the other parties regarding cleanup efforts and quickly organize yourselves into a single representative body to facilitate negotiations with the Agency. The identities of the other potentially responsible parties are provided with the understanding that the information provided does not constitute public disclosure under the Freedom of Information Act.

The factual and legal discussions contained in this letter are intended solely for notification and edification purposes. They are not intended to, do not, and may not be relied upon as a final Agency position on any matter set forth herein.

Due to the nature of the problem at this site and the attendant legal ramifications, the Agency strongly encourages you to submit a written response within the time frame specified herein. We hope that you will give this matter immediate attention.

Sincerely yours,

Allyn M. Davis, Director
Air and Waste Management Division

Attachment

cc: Regional Counsel, Region VI
Director, Office of Waste Programs Enforcement
Director, Office of Emergency and Remedial Response
Bryan Dixon, Texas Department of Water Resources

bcc: Kate Bouve, WH-527
Mike Kilpatrick, WH-527
Kathy Summerlee, LE-134(S)
Turner, 6ORC

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POTENTIALLY RESPONSIBLE PARTIES
AT
SOUTH CAVALCADE STREET SITE
HOUSTON, TEXAS

This list represents EPA's preliminary findings on the identities of potentially possible parties. Inclusion on this list does not constitute a final determination concerning the liability of any party for the hazard or contamination at the site in question.

Richard Bacon
President
Merchants Fast Motor Lines
P.O. Drawer 591
Abeline, TX 79604

Rex King
Owner and Manager
Palletized Trucking, Inc.
2001 Collingsworth St.
Houston, TX 77249

Charles Pullin
Vice President
Chairman of the Board
Koppers Co., Inc.
1501 Koppers Building
Pittsburgh, PA 15211

Calvin Reeves
Vice President and General Council
Baptist Foundation of Texas
P.O. Box 1409
Dallas, TX 75221

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ATTACHED LIST

[A]

Mr. Richard Bacon "Mr. Bacon"
President
Merchants Fast Motor Lines
P. O. Drawer 591
Abilene, TX 79604

[A]

Mr. Rex King "Mr. King"
Owner and Manager
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